

MICHAEL A. ARMSTRONG & ASSOCIATES, LLC

Counselors at Law
79 MAINBRIDGE LANE
WILLINGBORO, NEW JERSEY 08046

TELEPHONE: (609) 877-5511

FACSIMILE: (609) 877-7755

MICHAEL A. ARMSTRONG+
Email: maa@armstronglawfirm.com

CRISTAL M. HOLMES-BOWIE
Email: chb@armstronglawfirm.com

BARBARA ANN JOHNSON-STOKES
Email: bajs@armstronglawfirm.com

MORRISON KENT FAIRBAIRN+
Email: mkf@armstronglawfirm.com



+MEMBER NJ NY & GA BARS

+MEMBER NJ & PA BARS

March 14, 2018

Honorable Joel Schneider, U.S.M.J.
United States District Court
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets, Room 1050
Camden, NJ 08101

RE: Anthony Moore v. City of Atlantic City, et al.
Civil Action No.: 1:14-cv-05092-JBS-JS

Dear Judge Schneider:

As Your Honor may recall my office represents Defendant City of Atlantic City in the above captioned matter. I write to seek an emergent amendment of the Discovery Confidentiality Order in this matter.

My office also represents the City of Atlantic City in the matter of Stadler v. Abrams, et al. (1:13-cv-02741 –RBK-AMD) in which trial recently concluded. On March 13, 2018, the Honorable Robert B. Kugler ruled on the Defendant Officer's Motion for Mistrial for violation of the Discovery Confidentiality Order in the Stadler matter. (1:13-cv-02741 –RBK-AMD: Doc 235 and 236). The motion was based upon a news article that was released during the Stadler trial that included details regarding one of the Defendant Officers in Stadler that was purportedly obtained from a motion in limine filed by Plaintiff in the Stadler matter that contained detailed information regarding Internal Affairs files. While noting that the information should not have been permitted to enter the public sphere, Judge Kugler ruled that the filing of the motion in limine did not violate the Discovery Confidentiality Order due to ambiguity contained in the Order.

As the Court is aware, the plaintiff's attorney in the Stadler matter is the same attorney for Plaintiff in the instant matter. Additionally, the Discovery Confidentiality in this matter mirrors the form Confidentiality Order at issue in Stadler. Defendants are concerned that Plaintiff may file confidential material in the instant matter that will be available to the press in reliance on the ambiguity found by Judge Kugler.

With trial currently scheduled for April 9, 2018, in this matter and the Court indicating that in limine motions should be filed within four weeks of trial, it is anticipated that motions

containing confidential materials may be filed imminently by Plaintiff. Accordingly, Defendants seek an Order indicating that the Discovery Confidentiality Order in this matter be immediately amended to preclude any publically accessible filing of documents containing information subject to the Discovery Confidentiality Order. Defendants are prepared to file a more formal application for emergent relief if required by the Court.

Respectfully submitted,

/s/ Morrison Kent Fairbairn

Morrison Kent Fairbairn, Esquire

Cc: Jennifer Ann Bonjean, Esq. (via e-filing only)
Steven S. Glickman, Esq. (via e-filing only)